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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/486,341	02/25/2000	HIROSHI YAMAZAKI	000104	4432

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EXAMINER

BUI, THACH H

ART UNIT PAPER NUMBER

3628

DATE MAILED: 02/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/486,341

Applicant(s)

YAMAZAKI ET AL.

Examiner

Thach H Bui

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. Applicant's prior art citation filed August 10, 2000 has been received, considered and placed of record.

### ***Specification***

2. Claim 11 is objected to because of the following informalities: "comprising]" recited in line 9. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-10, 12, 23-24, 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are narrative in form and replete with indefinite and functional or operational language. The structure must be organized and correlated in such manner as to present a complete operative device. The following informalities are merely exemplary thereof.

Claim 1 is vague and indefinite because "obtaining operation results by performing said current price evaluation operation means" renders the claim unclear (idiomatic English).

Claim 4 is vague and indefinite because “means as a method” recited in line 4, renders the claim unclear (means plus function).

Claim 4 is vague and indefinite because there is no clear or proper antecedent basis for “said virtual transaction means” recited in line 6.

Claim 8 is vague and indefinite because “predetermined super class” and “predetermined classes” renders the claim unclear. Are they differing from each other because of their sizes or their hierarchy? See claim 23 for the same informality.

Claim 9 is vague and indefinite because “said financial characteristics are real time features” renders the claim unclear. See claim 24 for the same informality.

Claim 12 is vague and indefinite because there is no clear or proper antecedent basis for “said predetermined period” recited in line 2.

Claim 12 is vague and indefinite because “said predetermined period is only a predetermined point” renders the claim unclear.

Claim 29 is vague and indefinite because “when a set date for the option transaction is in an in-the-money state of the option” renders the claim unclear (idiomatic English).

Claim 29 is vague and indefinite because “when a set date for the option transaction is in an out-the-money state of the option” renders the claim unclear.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (U.S. Patent No. 5,630,127).

As per claim 1, Moore et al. teach a financial risk management apparatus comprising one or more virtual transaction (compound transactions) entity means within the system (see Figures 1 and 2). Moore et al. also include storage means (object oriented database) (column 16, lines 45-49) i.e. reference information, transaction information and etc. (102) for storing information, and a current price evaluating operation means (208, 212, 216, 222). Moore et al. do not explicitly mention a compound transaction characteristics computation means for sequentially referring to each of the transaction entity modeling means in the reference information group. However, Moore et al. teach an exposure calculations or virtual compound transactions of the entity modeling means (column 2, lines 15-25), and the results are obtained once the calculation is performed (column 4, lines 62-67). Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to understand that the system, as taught by Moore et al., has a computation means referring to each of the transaction entity modeling means.

As per claim 2, Moore et al. teach a computation means having a conversion factor of which is a mean for converting currency (column 7, lines 09-27) (column 8, lines 4-19).

As per claim 3, Moore et al teach an entity modeling means of which is implemented as a list structure (column 12, line 40).

As per claims 4-6, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale.

As per claim 7, Moore et al. do not explicitly mention virtual financial characteristics computation means for computing a new virtual financial characteristic by combining the plurality of single financial characteristics, and providing the virtual financial characteristics or the current price evaluation operation means. However, Moore et al. teach a price evaluation operation means coupled with a virtual financial characteristics computation means (as mentioned in the above claims) in computing financial transactions. Once the calculations performed, the results are obtained and from there the system is able to determine its financial risk(s). Therefore, it would have been obvious to one skilled artisan to understand that the system, as taught by Moore et al., has a virtual financial characteristics computation means for computing a new virtual financial characteristic by combining the plurality of single financial characteristics, and providing the virtual financial characteristics or the current price evaluation operation means and/or determine the financial risk(s).

As per claims 8-10, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale. In addition, Moore et al. disclose a financial characteristics definition means for defining the financial characteristics (column 7, line 55-column 8, line 19).

As per claims 11 and 12, Moore et al. teach one or more unit transaction modeling means (106, and 126), and a transaction sequence characteristic computation means for sequentially referring to the unit transaction modeling means from the reference information group in each of the receipt side and the payment side of the financial transactions at a predetermined instruction (column 9, line 5-column 10, line 5).

As per claim 13, Moore et al. do not explicitly mention the financial transactions are financial goods other than currency. It would have been obvious to one skilled artisan in the art to modify the system, as taught by Moore et al., to have a system that provides financial transactions for financial goods.

As per claims 14-18, Moore et al. have all the features of the invention. Moore et al. also disclose a user interface means (column 8, line 5).

As per claims 19-38, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sandhu et al., Shepherd, Hawkins et al., and Basch et al. are cited of general interest.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thach H Bui whose telephone number is 703-305-0063. The examiner can normally be reached on Monday-Friday, 7:30-4 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough, can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

T.B.  
January 30, 2003

  
Hyung-Sub Sough  
Primary Examiner